



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

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December 9, 1994

Halbert K. Jensen, Chairman
Sanpitch Drainage District
87 South 200 East (60-7)
Ephraim, UT 84627

Dear Mr. Jensen:

Thank you for your letter of December 1, 1994, and for the information regarding the new leadership of the Drainage District. Unfortunately, your June 7th letter never reached my office.

In reviewing page 104 of the Cox Decree, it appears there is a portion that you have slightly misquoted. Instead of reading "Period of use April 1 to Oct. 15", the sentence should read as follows: "Period of use for irrigation purposes, except as specifically hereafter modified, shall be from April 1 to Oct. 15."

Page 111 then states, "Provided that the periods of use for irrigation for the following named parties under this decree, shall be as follows:

Moroni Irrigation Company, March 15 to November 15.

Moroni-Mt. Pleasant Irrigating Ditch Co., Mar. 1 to Dec. 1."

This statement is listed as a separate paragraph in the decree and does not include a reference to any specific right. We therefore believe this statement specifically modifies the period of use for all the rights of the Moroni Irrigation Company under the Cox Decree.

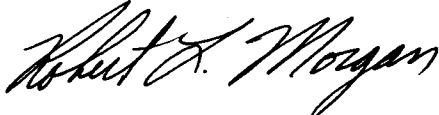
The issue of whether to have one commissioner on the river or two was reviewed and discussed with the water users several years ago. Initially, we thought the river might be better served by one commissioner and unified distribution. However, based on our research, we concluded that there were valid hydrologic reasons for maintaining two separate systems on the river and that they should operate independent of each other. We believe the language of the Cox Decree also supports that decision. We have not found or received any further information which would change our position on this issue.



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I hope this helps you understand the decisions we have made on the San Pitch River. If you would like to meet with me to discuss these issues further, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert L. Morgan".

Robert L. Morgan, P.E.
State Engineer

/gm

cc: Lee Sim, Distribution Assistant Engineer ✓